

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. CV 23-06034-CJC (DFM)

Date: April 23, 2024

Title Ismail Mora v. Miner et al.

Present: The Honorable Douglas F. McCormick, United States Magistrate Judge	
Nancy Boehme	Not Present
Deputy Clerk	Court Reporter
Attorney(s) for Plaintiff(s):	Attorney(s) for Defendant(s):
Not Present	Not Present
<b>Proceedings:</b>	<b>(IN CHAMBERS) Order to Show Cause</b>

On February 16, 2024, the Court issued an Order dismissing Plaintiff's Second Amended Complaint with leave to amend. See Dkt. 15. The Court gave Plaintiff three options to proceed: (1) voluntarily dismiss the claims identified as deficient by the Court and proceed only on his deliberate indifference claims against Defendants Miner and John Doe 1; (2) stand on the Second Amended Complaint; or (3) file a Third Amended Complaint curing the defects identified in the Court's Order. See id. at 15. Plaintiff was ordered to return a Notice of Election form within thirty-five (35) days. See id. Plaintiff has not filed a Notice of Election, and the deadline has passed.

It is Plaintiff's responsibility to respond promptly to all Orders and to prosecute the action diligently. **Accordingly, the Court hereby ORDERS Plaintiff to show cause in writing no later than twenty-one (21) days from the date of this order why this action should not be dismissed for lack of prosecution.** As an alternative to a written response by Plaintiff, the Court will consider the filing of the Notice of Election form and, if applicable, Plaintiff's Third Amended Complaint, on or before the above date, as an appropriate response to this Order to Show Cause.

Plaintiff is warned that failure to respond to this Order may result in a recommendation that this case be dismissed without prejudice for failure to prosecute.